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PTO/SB/05 (03-01)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	8449-320-999	Total Pages	37
First Named Inventor or Application Identifier			
Roman Perez-Soler			
Express Mail Label No.	EV335858897 US		

APPLICATION ELEMENTS <i>See MPEP chapters 600 concerning utility patent application contents.</i>		Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 28] (preferred arrangement set forth below, MPEP 1503.01) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description of the Invention (including drawings, if filed) - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 9]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Sheets 2] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies</p>	
ACCOMPANYING APPLICATION PARTS			
<p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>17. <input type="checkbox"/> Other:</p>			

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior pending U.S. Application No.: 09/168,799, filed October 8, 1998, which is a divisional of U.S. Application No. 08/764,095, filed December 6, 1996, now U.S. Patent No. 5,843,475 dated December 1, 1998.

Prior application information:

Examiner:

Gollamudi S. Kishore

Group Art Unit:

1615

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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U.S. PTO

PENNIE & EDMONDS LLP DOCKET NO. 8449-320-999

Express Mail No. EV335858897US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner Gollamudi S. Kishore
Art Unit 1615

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/168,799 filed on October 8, 1998, which is a divisional of U.S. Application No. 08/764,095, filed on December 6, 1998, now U.S. Patent No. 5,843,475 dated December 1, 1998

of Roman Perez-Soler and Abdul R. Khokhar

(inventor(s) currently of record in prior application)

for DELIVERY AND ACTIVATION THROUGH LIPOSOME INCORPORATION OF DIAMINOCYCLOHEXANE PLATINUM(II) COMPLEXES

(title of invention)

1. The filing fee is calculated below, in view of the Preliminary Amendment submitted herewith:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	72	- 20	52	\$18.00 each	\$ 936.00
Independent	20	- 3	17	\$86.00 each	\$ 1462.00
			Minimum Fee		\$ 770.00
			Multiple Dependency Fee		\$ 290.00
			If Applicable (\$290.00)		
				Total	\$ 3458.00
			Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern		\$ 1729.00
				Total Filing Fee	\$ 1729.00

2. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3a. A Preliminary Amendment is enclosed.

3b. A new specification, substantially identical to the pending prior application and containing no new matter, is enclosed.

4a. New formal drawings are enclosed.

4b. Informal drawings are enclosed.

PENNIE & EDMONDS LLP DOCKET NO 8449-320-999

5a. Priority of application no. filed on in is claimed under 35 U.S.C. §119.

5b. The certified copy has been filed in prior application no. , filed .

6. The prior application is assigned of record to Board of Regents, The University of Texas System (Reel 008476, Frame 0847).

7a. A copy of the Revocation and Power of Attorney filed in the prior application no. 09/168,799, filed October 8, 1998 is enclosed.

7b. A copy of the Declaration filed in prior application no. 08/764,095 (of which prior application no. 09/168,799 is a divisional) filed December 6, 1996, is enclosed.

8. This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.

9. The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .

10. DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11. Additional enclosures or instruction

Respectfully submitted,

Date December 30, 2003

 Adriane M. Antler

32,605

(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711